

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MacNEIL AUTOMOTIVE PRODUCTS
LIMITED d/b/a WEATHERTECH; and
MacNEIL IP LLC,

Plaintiffs,

v.

YITA, LLC d/b/a Oedro or YitaMotor,

Defendant.

C20-278 TSZ

MacNEIL AUTOMOTIVE PRODUCTS
LIMITED d/b/a WEATHERTECH; and
MacNEIL IP LLC,

Plaintiffs,

v.

JINRONG (SH) AUTOMOTIVE
ACCESSORY DEVELOPMENT CO.,
LTD.; and RUI DAI,

Defendants.

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable Thomas S. Zilly, United States District Judge:

(1) By Minute Order entered June 15, 2023, docket no. 147, the Court directed the parties to file a Joint Status Report addressing certain issues relating to a decision issued on June 6, 2023, by the United States Court of Appeals for the Federal Circuit. Having reviewed the parties' Joint Status Report, docket no. 150, and having taken judicial notice of the petition for panel rehearing and rehearing en banc filed on July 7, 2023, by plaintiff MacNeil IP LLC (the appellee in the Federal Circuit proceedings), the Court hereby sua sponte STAYS this action with respect to the claims related to United States Patent No. 8,382,186 (the "186 Patent"). In the decision at issue, the Federal

1 Circuit reversed the ruling of the Patent Trial and Appeal Board (“PTAB”) in which it
2 rejected defendant Yita, LLC’s challenges to all seven (7) claims of the ’186 Patent.
3 Whether the ’186 Patent is now invalid, which would obviate any need for claim
4 construction, dispositive motion practice, or trial on the related claim of infringement,
5 is a question that must await the Federal Circuit’s resolution of the pending petition for
6 panel rehearing and rehearing en banc.

7 (2) Defendants’ motion for a partial stay, docket no. 148, is GRANTED as
8 follows. The claims in this action related to United States Patents Nos. 8,889,655 (the
9 “’655 Patent”) and 9,138,917 (the “’917 Patent”) are STAYED pending the PTAB’s
10 resolution of inter partes review (“IPR”) proceedings, provided that defendants post a
11 bond at a time and in an amount to be determined by the Court.

12 (3) The Court agrees with plaintiffs that judicial economy would not be served
13 by having two, or perhaps three, trials in this matter. Given the current posture of the
14 ’186 Patent, as well as the IPR matters involving the ’655 and ’917 Patents, the Court
15 concludes that a stay of the claims relating to the last of the four patents-in-suit, namely
16 United States Patent No. 8,833,834 (the “’834 Patent”), which has survived the IPR
17 process, is also warranted. Thus, this entire case is hereby STAYED. The trial date and
18 all remaining deadlines are STRICKEN.

19 (4) On or before August 11, 2023, plaintiffs shall file a supplemental brief, not
20 to exceed eight (8) pages in length, along with supporting materials, concerning their
21 anticipated damages (by year) associated with defendants’ alleged infringement of the
22 ’834, ’655 and ’917 Patents, and a proposed order requiring the posting of a bond.
23 Defendants may file a response, including any objections to the form of the proposed
order, not to exceed eight (8) pages in length, along with any supporting materials, on or
before August 18, 2023. No further briefing shall be filed unless requested by the Court.

(5) The parties are DIRECTED to file a Joint Status Report within seven (7)
days after the Federal Circuit rules on MacNeil IP LLC’s petition for rehearing, within
fourteen (14) days after the PTAB issues a decision regarding either of the related IPR
proceedings, or by December 29, 2023, whichever occurs earlier.

(6) The Clerk is directed to send a copy of this Minute Order to all counsel of
record.

Dated this 25th day of July, 2023.

Ravi Subramanian
Clerk

s/Laurie Cuaresma
Deputy Clerk